Our File: TAN-2-1401.06.US

Date:

January 12, 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Gorsuch et al.

Application No.: 10/776,424

Confirmation No.: 2889

February 11, 2004

For: DYNAMIC BANDWIDTH ALLOCATION

TO TRANSMIT A WIRELESS PROTOCOL ACROSS A CODE DIVISION MULTIPLE

2617

ACCESS (CDMA) RADIO LINK

Group: Examiner:

Filed:

Joy Kimberly Contee

PETITION TO WITHDRAWAL FROM ISSUE AFTER PAYMENT OF ISSUE FEE PURSUANT TO 37 C.F.R § 1.313(c)

Commissioner for Patents (via EFS) P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants respectfully request withdrawal of the above-identified patent application from issuance pursuant to 37 C.F.R. § 1.313(c), for consideration of a request for continued examination in compliance with § 1.114 and in view of the additional prior art references that have come to the Applicants' attention. Enclosed with this Petition are the following:

- (1) Request for Continued Examination (RCE);
- (2) Supplemental Information Disclosure Statement along with PTO-1449 form and seven (7) cited references:

Applicant: Gorsuch et al. Application No.: 10/776,424

(3) Petition fee in the amount of \$130.00 and Request for Continued Examination (RCE) fee in the amount \$810.00.

Expedited consideration and grant of this Petition is respectfully requested.

Respectfully submitted,

Gorsuch et al.

By John C. Donch Jr. Registration No. 43,593

Volpe and Koenig, P.C. United Plaza, Suite 1600 30 South 17th Street Philadelphia, PA 19103 Telephone: (215) 568-6400 Facsimile: (215) 568-6499

JCD/pf Enclosures